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19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN JOSE DIVISION

22 DONALD SILVERSTRI, DAWN KEER,  
23 KIMBERLY MANCELLA, JILL  
24 SILVERMAN STRELZIN, and  
25 CHRISTOPHER LEMOLE, on behalf of  
26 themselves and others similarly situated,

27 Plaintiff,

28 v.

FACEBOOK, INC.

Defendant.

Case No. C10-cv-00429 (JF)

ERIC MARKOWITZ, FRANK  
BLUEMENTHAL, LAUREN REESE, and  
BILLY STERNBERG, on behalf of  
themselves and all others similarly situated,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

Case No. C10-cv-00430 (JF)

**STIPULATION AND [PROPOSED] ORDER  
CONSOLIDATING CASES FOR ALL  
PURPOSES AND PERMITTING FILING OF  
CONSOLIDATED COMPLAINT**

This Stipulation is entered into by and among plaintiffs Donald Silverstri, Dawn Keer, Kimberly Mancella, Jill Silverman Strelzin, Christopher LeMole, Eric Markowitz, Frank Bluementhal, Lauren Reese, and Billy Sternberg (collectively, the “Plaintiffs”), and defendant Facebook, Inc. (“Defendant”) by and through their respective counsel;

WHEREAS, the *Silverstri* complaint was filed on January 29, 2010;

WHEREAS, the *Markowitz* complaint was filed on January 29, 2010;

WHEREAS, counsel for Defendant has duly accepted service of the Summons and  
Complaints;

WHEREAS, counsel for the parties have conferred, and the parties are in agreement that the *Markowitz* action should be consolidated with the *Silverstri* action for all purposes because the cases involve similar complaints and common questions of law or fact, and because consolidation would advance the interests of judicial economy; and

WHEREAS, the parties seek to agree upon a schedule for the filing of a consolidated complaint;

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned  
counsel for Plaintiffs and Defendant, that:

1. The following actions are related cases within the meaning of Local Civil Rule 3-12(a):

- a. *Donald Silverstri, et al. v. Facebook, Inc., a Delaware corporation*, Case No. C10-cv-00429 (JF); and
  - b. *Eric Markowitz, et al. v. Facebook, Inc., a Delaware corporation*, Case No. C10-cv-00430 (JF).

2. Pursuant to Federal Rule of Civil Procedure 42(a), the above-captioned actions are hereby consolidated for all purposes into one action.

3. These actions shall be referred to herein as the “Consolidated Actions.” The Master Docket and Master File for the Consolidated Actions shall be Civil Action No. C10-cv-00429 (JF).

4. Every pleading in this Consolidated Action shall bear the following caption:

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE FACEBOOK CONSUMER PRIVACY LITIGATION ) Case No. C10-cv-00429 (JF)  
)

All orders, pleadings, motions and other documents shall, when filed and docketed in the Master file, be deemed filed and docketed in each individual case to the extent applicable.

5. The Court hereby appoints Paskowitz & Associates and the Felgoise Law Firm as Co-Lead Counsel.

6. All subsequently-filed class or individual actions against the Defendant alleging the same or similar claims as alleged in the complaints in these actions shall be consolidated under the case *In re FACEBOOK CONSUMER PRIVACY LITIGATION*, Case No. C10-cv-00429 (JF).

7. The Plaintiffs shall file a Consolidated Complaint on or before March 9, 2010. Defendant shall respond to the Consolidated Complaint on or before April 9, 2010. Defendant has no obligation to respond to the current Complaints.

This stipulation is without prejudice to any other rights that any party may have.

1 Dated: February 4, 2010

2 LAW OFFICES OF DAVID N. LAKE

COOLEY GODWARD KRONISH LLP

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4 /s/ David N. Lake  
 5 David N. Lake (180775)  
 Attorneys for Plaintiffs DONALD  
 6 SILVERSTRI, DAWN KEER,  
 KIMBERLY MANCELLA, JILL  
 7 SILVERMAN STRELZIN,  
 CHRISTOPHER LEMOLE, ERIC  
 MARKOWITZ, FRANK  
 BLUMENTHAL, LAUREN REESE,  
 8 AND BILLY STERNBERG

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/s/ Matthew D. Brown

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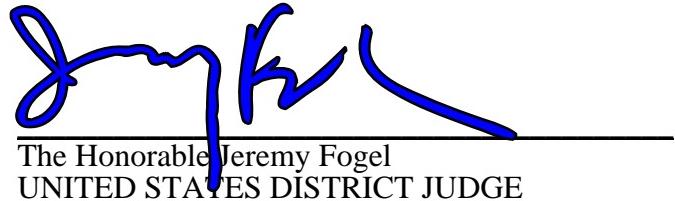
Attorneys for Defendant  
 FACEBOOK, INC.

1                   **[PROPOSED] ORDER**  
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The above stipulation having been considered and good cause appearing therefore,

**IT IS SO ORDERED.**

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The Honorable Jeremy Fogel  
UNITED STATES DISTRICT JUDGE

1                   **FILER'S ATTESTATION**

2                   Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests  
3                   that all parties have concurred in the filing of this Stipulation and [Proposed] Order Consolidating  
4                   Cases for All Purposes and Permitting Filing of Consolidated Complaint.

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6                   Dated: February 4, 2010

COOLEY GODWARD KRONISH LLP

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8                   By: \_\_\_\_\_ */s/ Matthew D. Brown*  
9                   Matthew D. Brown

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